

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Fahd Patel on 29 July 2009.

Claims 3-6 are amended as follows:

Claim 3, line 1, the phrase "A computer-readable medium" is changed to -- A non-transitory computer-readable medium --.

Claim 4, line 20, the phrase "when the screen area is selected" is changed to -- when the screen area is continually selected --.

Claim 5, line 15, the phrase "when the screen area is selected" is changed to -- when the screen area is continually selected --.

Claim 6, line 1, the phrase "A computer-readable medium" is changed to -- A non-transitory computer-readable medium --.

Claim 6, line 16, the phrase "when the screen area is selected" is changed to -- when the screen area is continually selected --.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. *Fujita* (US 2004/0130576) in view of *Lewis* (US 2003/0040962), *Wu* (US 2005/0108656), and *Taira* (US 2005/0213941) discloses a touch apparatus with overlay controls which resize according to a change in display aspect ratio. However, none of the prior art discloses "wherein the first operation button is displayed in a screen area before the change in aspect ratio and is replaced by a second operation button that is displayed in the screen area after the change in aspect ratio" and "generating the command when the screen area is continually selected during the change in aspect ratio, the change in aspect ratio causing the first operation button to be replaced by the second operation button in the screen area" as is currently claimed in independent claims 1-6.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Stone whose telephone number is (571)270-5310. The examiner can normally be reached on Monday-Friday 9 A.M. - 4:30 P.M. E.S.T. (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh D. Nguyen can be reached on (571)272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M Stone/
Examiner, Art Unit 2629

/Chanh Nguyen/
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